

## BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation	)	
	)	
or Suspension of the Educators	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Michelle Rozzano	)	
	)	
Certificate # 215788	)	

### SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered the matter on December 9, 2003. On November 18, 2003, the State Department of Education (Department) sent Ms. Michelle Rozzano a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Rozzano received the notice, as evidenced by the signed postal receipt. Ms. Rozzano did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. Rozzano, the State Board voted to suspend Ms. Rozzano's certificate for one year.

### FINDINGS OF FACT

Ms. Rozzano holds a valid certificate, and has one year of out-of-state teaching experience. Ms. Rozzano was under contract with Greenville County School District (District) for the 2003-2004 school year, as a special education teacher at Taylors Elementary School. On October 6, 2003, Ms. Rozzano wrote the principal of Taylors Elementary resigning effective October 17, 2003. Ms. Rozzano's reason for resigning was that her partner had to relocate because of job related reasons. The District wrote Ms. Rozzano on October 21, 2003 and stated that they would recommend a one-year suspension of her certificate to the State Board.

On November 11, 2003, the Board of Trustees of the School District of Greenville County voted to file a complaint with the State Board seeking the suspension of Ms. Rozzano's certificate for breach of contract. The complaint was filed on November 18, 2003.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Rozzano's certificate # 215788 for a period of one year from October 17, 2003 through October 18, 2004, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. Rozzano may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina

December 9, 2003